

REMARKS/ARGUMENTS

Applicants gratefully acknowledge the Examiner's allowance of claims 1-10. In response to the Office Action, to expedite prosecution of this reissue application, Applicants have amended pending rejected independent claims 11, 17, 19, and 23 to include a cylindrical housing. Also, consistent with the requirement of 37 C.F.R. 1.173(c), as the Examiner acknowledged in the Office Action, Applicants respectfully submit that a cylindrical housing is supported in the disclosure of the patent at least at col. 3, lines 6-7. Applicants respectfully submit that the Examiner's rejections of independent claims 11, 17, 19, and 23, and the claims that depend therefrom, i.e., claims 12-16, 18, 20, and 24-25, under 35 U.S.C. 112, first paragraph, and 35 U.S.C. 251 have now been overcome.

Regarding the Examiner's objections to the Declaration filed in this application on November 9, 2000, Applicants respectfully traverse the Examiner's objections. Applicants respectfully submit that they have declared that they acknowledge the duty to disclose information "in accordance with Title 37, Code of Federal Regulations, § 1.56" on page 1 of the Supplemental Declaration. Whereas the wording on page 1 may refer to information which is material to the examination of this application, the Applicants respectfully submit that they have declared to submit information "in accordance with Title 37, Code of Federal Regulations, § 1.56." 37 C.F.R. 1.56 clearly defines the "duty to disclose information material to patentability" and clearly defines what constitutes this material information. In fact, 37 C.F.R. 1.63, which defines the requirements for the Oath or Declaration, refers to the information to be disclosed by the Declarant as being "defined in § 1.56." Further yet, on page 2 of the Supplemental Declaration, the Applicants "acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56..." Therefore, Applicants respectfully submit that they have clearly declared that they acknowledge their duty under Title 37, Code of Federal Regulations, § 1.56 to disclose material information, and that this rule further clearly defines the "information material to patentability" that the Declarant has a duty to disclose.

Therefore, Applicants respectfully submit that the Declaration is not defective for this reason.

Further, Applicants respectfully submit that the Declaration is not defective for failing to specify an error upon which reissue is based. As discussed in M.P.E.P. § 1414.II., Applicant may specify more than one error. Further, if some of the designated "errors" are found to not be errors, any "remaining error which is an error under 35 U.S.C. 251 will still support the reissue." Therefore, even if the "cylindrical" housing error specified is no longer relied upon by Applicants, the Declaration still specifies other errors. Two of these specified errors, which are still errors upon which the reissue is based, are the errors of a housing "including an end portion having a ring support surface" and the "ring having a peripheral portion which exceeds the inner diameter of the housing for engaging said ring supporting surface". As can be seen, these errors are included in claim 1 and these errors are clearly specified in the Declaration. The fact that additional errors were specified in the Declaration, which may no longer be errors upon which reissue is based, does not render the Declaration defective. Additionally, Applicants respectfully submit that these two errors upon which the reissue is based are clearly specified in the Declaration and, therefore, the Declaration cannot be considered defective even if other errors were originally specified. Therefore, Applicants respectfully submit that the Declaration is not defective for this reason as well.

Therefore, Applicants respectfully submit that the application is now in condition for allowance with claims 1-20 and 23-25 being allowable.

If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

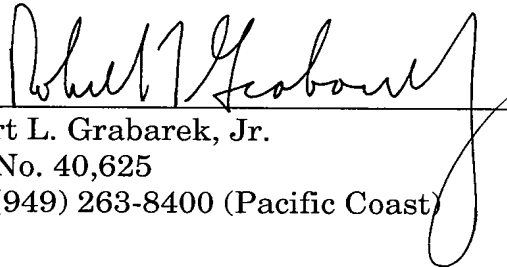
If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response. Please charge any deficiency in fees, or credit any overpayment of fees, to Deposit Account No. 05-1323 (Docket No. 010746.48111RE).

Respectfully submitted,

CROWELL & MORING LLP

Dated: June 1, 2007

By

A handwritten signature in black ink, appearing to read "Robert L. Grabarek, Jr.", is written over a horizontal line. The signature is fluid and cursive.

Robert L. Grabarek, Jr.

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